REMARKS

Claim Amendments

Applicants have canceled claim 73 without prejudice or disclaimer of its subject matter, and amended claim 72 to correct the chain of dependency due to the cancelation of claim 73. Upon entry of this Amendment, claims 37, 38, 40-55, and 57-72, and 74 are pending and under examination.

Office Action

Applicants respectfully traverse the rejections made in the Office Action, wherein the Examiner:

(a) rejected claim 72 under 35 U.S.C. § 101;

(b) rejected claim 72 under 35 U.S.C. § 112, first paragraph.

(c) rejected claim 73 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,542,733 B1 ("Dennis") in view of U.S. Patent No. 6,360,108 B1 ("Rogers"); and

(d) indicated that claims 37, 38, 40-55, 57-71, and 74 are allowed.

Allowable Subject Matter

Applicants acknowledge with appreciation the Examiner's indication that claims 37, 38, 40-55, 57-71, and 74 are allowed. *See* Office Action, p. 5.

Rejection of Claim 72 under 35 U.S.C. § 101

Applicants request reconsideration and withdrawal of the rejection of claim 72 under 35 U.S.C. § 101, as allegedly being directed to non-statutory subject matter. In particular, the Office Action misinterpreted claim 72 by alleging that it recites "'a computer readable medium' . . . [which] is directed to non-statutory subject matter." Office Action, p. 2. This is incorrect.

In contrast to the Office Action's mischaracterization, claim 72 has been previously amended in the Amendment filed March 15, 2010 to recite "[a] non-transitory computer readable

medium" (emphasis added). A non-transitory computer readable medium as recited in claim 72 does not constitute "transitory propagating signal per se., [e.g.,] carrier wave," as alleged at p. 2 of the Office Action. Rather, a non-transitory computer readable medium as recited in claim 72 is statutory subject matter under 35 U.S.C. § 101.

The Office Action also alleges that the specification does not provide "an explicit definition" for the "[non-transitory] computer readable medium," as recited in claim 72. Office Action, p. 2. This is incorrect. Applicants have previously pointed out, in the Amendment filed March 15, 2010, that the recitation of a "non-transitory computer readable medium" is supported by the specification at, for example, p. 4, lines 31-36. *See* Amendment filed March 15, 2010, p. 12. This portion of the specification discloses that "the method is implemented at the level of the individual communications terminal, in particular at the level of the electronic address book resident in the memory of said terminal and/or in a memory which can be separated from the terminal, such as a SIM or equivalent module" (emphases added). One of ordinary skill in the art would have appreciated that the disclosed "memory" and "SIM or equivalent module" are exemplary "non-transitory computer readable medi[a]," as recited in claim 72. Applicants therefore respectfully request withdrawal of the rejection.

Rejection of Claim 72 under 35 U.S.C. § 112, First Paragraph

Applicants request reconsideration and withdrawal of the rejection of claim 72 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. *See* Office Action, p. 2. Specifically, the Office Action alleges that the "computer readable medium" recited in claim 72 "does not [find] support [in] the original specification." *Id.*, p. 3. The Office Action further alleged that the term "computer readable medium" does not exist in the specification. *See id.* These allegations are incorrect.

First, as discussed above, the Office Action has misinterpreted claim 72, which has been previously amended in the Amendment filed on March 15, 2010 to recite "[a] *non-transitory* computer readable medium" (emphasis added).

Second, the Office Action has misconstrued the written description requirement. The written description requirement under 35 U.S.C. § 112, first paragraph, requires that Applicants must convey with reasonable clarity to those skilled in the art that, as of the filing date sought, Applicants were in possession of the invention as now claimed. *See* M.P.E.P. § 2163.02. In order for the disclosure to satisfy the description requirement, "[t]he subject matter of the claim need not be described literally (i.e., using the same terms or *in haec verba*)." *Id.* Moreover, the M.P.E.P. further states that "[t]he absence of definitions or details for well-established terms or procedures should not be the basis of a rejection under 35 U.S.C. 112, para. 1, for lack of adequate written description." *Id.* at § 2163(II)(A)(1).

Thus, the M.P.E.P. does not require that Applicants define in the specification the term "non-transitory computer readable medium" recited in claim 72 in order to satisfy the written description requirement. In fact, one of ordinary skill in the art would have appreciated, from the disclosure of the specification, for example, at p. 4, lines 31-36, that "memory" and "SIM or equivalent module" are exemplary "non-transitory computer readable medi[a]," as recited in

claim 72. Therefore, the specification reasonably conveys to one of ordinary skill in the art that the inventors had possession of the claimed "non-transitory computer readable medium" at the time the application was filed. Accordingly, claim 72 fully satisfies the written description requirement under 35 U.S.C. § 112, first paragraph, and Applicants respectfully request withdrawal of the rejection.

Rejection of Claim 73 under 35 U.S.C. § 103(a)

The rejection of claim 73 has been rendered moot by virtue of its cancellation.

Conclusion

Pending claims 37, 38, 40-55, and 57-72, and 74 are in condition for allowance, and Applicants request a favorable action.

If there are any remaining issues or misunderstandings, Applicants request the Examiner telephone the undersigned representative to discuss them.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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